

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARK HOFFMAN,

Plaintiff,

v.

HEARING HELP EXPRESS INC, et
al.,

Defendants.

CASE NO. C19-5960 MJP

ORDER DENYING STIPULATED
MOTION TO AMEND CASE
SCHEDULE

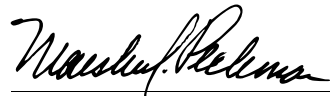
This matter comes before the Court on the Parties' Stipulation and Order to Modify Expert Related Deadlines in Scheduling Order. (Dkt. No. 108.) Having reviewed the Stipulation, Plaintiff's Motion to Extend Deadline to Submit Expert Testimony (Dkt. No. 107), and related materials on the docket, the Court DENIES the Stipulated Motion without prejudice.

The Parties failed to provide any argument or attestation in the Stipulation to demonstrate "good cause" to extend the case schedule. See Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). This alone is fatal to the stipulation. But the Court has also reviewed Plaintiff's Motion to Extend, which sets forth the apparent basis for the Parties' request. While

1 the Court appreciates the interest of the Parties to respond to the anticipated decision from the
2 Supreme Court in the matter of Duguid v. Facebook, No. 19-51 (argued Dec. 8, 2020), the
3 Parties have not proposed a viable amended schedule. Specifically, the Parties propose August 5,
4 2021 as the deadline to file dispositive motions, while maintaining a trial date of November 1,
5 2021. This would allow roughly two months for the Court to consider and resolve any such
6 dispositive motions before trial. This is inadequate. Should the Parties wish to propose a new
7 stipulated request to extend the deadlines to provide for expert deadlines related to the Duguid
8 matter, they must allow at least four months from the date of dispositive motion filings to trial.
9 To the extent this requires a new proposed trial date, the Parties should be aware that the Court's
10 current schedule will not allow for a new trial date until after April 11, 2022.

11 The clerk is ordered to provide copies of this order to all counsel.

12 Dated January 7, 2021.

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14 Marsha J. Pechman
15 United States District Judge
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